

REMARKS

Claims remaining in the present patent application are Claims 16-20, 22, 24-28, 30-37. Claims 16, 18, 19, 24-28, and 31 are amended herein, and new claims 36 and 37 have been added. Applicants respectfully assert that no new material is introduced as a result of the amendments herein. Applicants respectfully request consideration of the above captioned patent application in light of the remarks presented herein.

Rejections Under 35 U.S.C. §101

At paragraph 4 of the Office Action, the Examiner rejected claims 16-19, 22-25, and 27-35 as being directed to non-statutory subject matter. By the amendments above, Applicant has accommodated the Examiner's rejection

Rejections Under 35 U.S.C. §103

At paragraphs 7 of the Office Action, the Examiner rejected claims 16-20 and 22-35 as being unpatentable over Microsoft Word 2000 ("MS Word") in view of U.S. Patent No. 6,771,801 to Fisher et al. ("Fisher").

Regarding claim 16, the Examiner notes the following:

MS Word teaches the use of templates which were used for generating user specified documents such as a photo album page (p. 4). MS Word teaches that templates can be created from existing documents, such as a user created table containing graphic images.

In this excerpt, the Examiner describes a transformation process of generating a photo album page based on a template. In contrast, Applicant's claim 16 recites a first and a second graphical image page that includes the same group of images. This is distinct from a template design process that allows a user to insert photos into image placeholders on a template to produce an image page.

As claimed, the second graphical image page can be viewed along with the first graphical image page for comparison purposes. This claim feature enables each of the first and second graphical image pages to be independently modified. For example, the user could separately

change a background on the first graphical image page, and separately change a picture border on the second graphical image page. Viewing a first candidate image page along with a second candidate image page enables the user to determine which of the two different candidate image pages should be selected.

This side-by-side comparison process is distinct from the MS Word Split command teachings produced by the Examiner. While the MS Word Split command does produce a second window in a side-by-side display, the second window offers a different view of the same document. Here, a change in a first document window would also be reflected in the second document window if the second window viewed the same portion of the document.

In Applicant's claimed invention, the first and second window both include a view of the same group of images. As both the first and second window offer views into different documents, the user can independently modify graphical elements in either the first or second window. This is distinct from the MS Word Split command.

For at least these reasons, Applicant submits that the teachings of MS Word do not show displaying a first and second graphical image pages that include the same group of images, wherein each of the first and second graphical image pages are capable of being independently modified by the user.

Fisher also does not correct the deficiencies of MS Word. Fisher was introduced for the teaching of a method of generating a photo album page using a template and images supplied by a user. The Examiner has made no assertion that Fisher teaches a display that enables comparison of photo album pages and independent modification of those photo album pages. Applicant therefore submits that the Examiner has not produced a *prima facie* case of obviousness in producing a combination of references that teaches every feature of Claim 16. The rejection of claim 16, as well as its dependent claims, is therefore traversed.

In the rejection of independent claim 24, the Examiner relied on MS Word and Fisher for general teachings regarding the use of templates. Applicant submits that neither MS Word nor Fisher teach or suggest selecting a layout configuration for a photo album page, the layout

configuration defining a number of photos to be included on the photo album page and relative positions of the photos on the photo album page, wherein the selecting is based on a graphical user interface that enables user navigation of a hierarchical organization of a library of layout configurations based on a number of photos specified by a user for the photo album page, the user specified number of photos being used to generate a graphical listing of thumbnail images representing a subset of the library of layout configurations, the subset of the library of layout configurations supporting only the user specified number of photos.

For at least these reasons, Applicant submits that the Examiner has not produced a *prima facie* case of obviousness in producing a combination of references that teaches every feature of Claim 24. The rejection of claim 24, as well as its dependent claims, is therefore traversed.


Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might be useful for any reason.

Respectfully submitted,

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